

Amendment No. 1 to SB0554

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 554

House Bill No. 349*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-1-113, is amended by deleting subdivision (g)(10) and substituting instead the following:

(10)

(A)

(i) The court determines by clear and convincing evidence that the child was conceived as a result of the parent committing the offense of aggravated rape pursuant to § 39-13-502, rape pursuant to § 39-13-503, rape of a child pursuant to § 39-13-522, or a similar offense in another state;

(ii) A determination by the court that the child was conceived as a result of a parent committing any of the offenses specified in subdivision (g)(10)(A)(i), creates a presumption that termination of parental rights is in the best interests of the child;

(B) In lieu of the presentation of evidence required by subdivision (g)(10)(A), if a parent is convicted, either by guilty plea or verdict, of any of the offenses specified in (g)(10)(A)(i), a certified copy of the judgment of conviction is conclusive proof of this ground for termination of parental rights and no further proof is required;

(C) If a child was conceived as a result of a parent committing the offense of aggravated rape pursuant to § 39-13-502, rape pursuant to § 39-13-

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503, rape of a child pursuant to § 39-13-522, or a similar offense in another state, the child's mother has standing to file a petition to terminate the parental rights of the other parent under this subdivision (g)(10). Nothing in this subdivision (g)(10) shall give a parent standing to file a petition to terminate parental rights based on grounds other than those listed in this subdivision (g)(10);

SECTION 2. Tennessee Code Annotated, Section 36-1-113, is amended by adding the following to the end of subdivision (b)(1):

As provided in subdivision (g)(10), the child's mother has standing to file a petition to terminate the parental rights of the other parent if a child was conceived as a result of the other parent committing the offense of aggravated rape pursuant to § 39-13-502, rape pursuant to § 39-13-503, rape of a child pursuant to § 39-13-522, or a similar offense in another state.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it, and shall apply to any petition for the termination of parental rights filed under § 36-1-113(g)(10) on or after that date.